

ASSEMBLY BILL

No. 1818

Introduced by Assembly Member Allen

February 18, 2014

An act to amend Section 8350 of the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1818, as introduced, Allen. Public utilities: electrical generation facilities: air pollution.

Existing law prohibits a load-serving entity, including an electrical corporation, and local publicly owned electric utility from entering into, and the Public Utilities Commission from approving, a long-term financial commitment with or for a new electrical generation facility that does not meet specified requirements.

This bill would make technical, nonsubstantive changes to the above provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 8350 of the Public Utilities Code is
- 2 amended to read:
- 3 8350. (a) For purposes of this section, the following terms
- 4 have the following meanings:
- 5 (1) "Load-serving entity" has the same meaning as that term is
- 6 defined in Section 8340.

(2) “Long-term financial commitment” has the same meaning as that term is defined in Section 8340.

(3) “New electrical generating facility” means an electrical generating unit for which all legally required permits have been received after January 1, 2011. If an electrical generating unit is added to an existing powerplant after January 1, 2011, only the incremental capacity from that unit added after January 1, 2011, is a new electrical generating facility.

(4) “Shared pollution area” means an ~~airshed~~ *air basin* encompassing a portion of ~~California~~ *the state* and a portion of an adjacent state or country, as determined by the United States Environmental Protection Agency.

(b) A load-serving entity or local publicly owned electric utility shall not enter into, and the commission shall not approve for an electrical corporation, a long-term financial commitment with or for a new electrical generating facility constructed in ~~California~~ *the state* or in a shared pollution area if that facility does not meet the following requirements:

(1) If the new electrical generating facility is in ~~California~~, *the state*, the facility meets best available control technology (BACT) standards, to control air pollution emissions from the operation of the facility, and complies with air pollution control district or air quality management district rules and regulations, and state and federal law.

(2) If the new electrical generating facility is outside of ~~California~~ *the state* in a shared pollution area, the facility meets best available control technology (BACT) standards, to control air pollution emissions from the operation of the facility, that apply in the air basin in ~~California~~ *the state* adjacent to the facility.